

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

FAYZA PANNO,	)	CASE NO. 1:21-cv-00220
	)	
Plaintiff,	)	MAGISTRATE JUDGE THOMAS PARKER
	)	
v.	)	
	)	
CLEVELAND METROPARKS, <i>et al.</i> ,	)	<b><u>JOINT POSITION STATEMENT</u></b>
	)	<b><u>REGARDING AGENDA FOR CASE</u></b>
Defendants.	)	<b><u>MANAGEMENT CONFERENCE</u></b>

The parties, through their counsel listed below, pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 16.3(b)(3), hereby submit the following statement of their joint position regarding the agenda for the Case Management Conference to be held on April 13, 2021.

1. This case should be assigned to the Standard track.
2. This case \_\_\_\_\_ is/ X is not suitable for one or more of the following Alternative

Dispute Resolution (“ADR”) mechanisms:

<input type="checkbox"/> Early Neutral Evaluation	<input type="checkbox"/> Summary Jury Trial
<input type="checkbox"/> Mediation	<input type="checkbox"/> Summary Bench Trial
<input type="checkbox"/> Arbitration	

3. The parties have consented to the jurisdiction of the United States Magistrate Judge.
4. **Non-expert discovery** shall be completed on or before November 15, 2021.

Discovery shall be conducted according to the guidelines set forth in Local Rule 16.2(a) for cases assigned to the case management track referred to in Item No. 1, above. The court specifically directs the parties to comply with Local Rule 37.1 including the obligation to contact the presiding judicial officer by telephone, before filing any motion under Federal Rule of Civil Procedure 37 seeking aid from the Court in discovery matters.

5. The parties do not anticipate retaining any expert witnesses. **Expert reports** must

be submitted to opposing counsel on or before N/A for the party bearing the burden of proof on the issue addressed. **Responsive reports** are due by N/A. **Expert discovery** shall be completed on or before N/A.

6. **Filing of Discovery Materials.** Unless otherwise ordered by the court, initial disclosures, discovery depositions, interrogatories, requests for documents, requests for admission, and answer and responses thereto shall **not** be filed in the Electronic Case Filing System, except that discovery materials may be filed as evidence in support of a motion or for use at trial.

7. The **pleadings shall be amended and new parties shall be joined** on or before April 30, 2021. The parties shall exchange their Rule 26(a) initial disclosures by May 14, 2021.

8. Dispositive motions shall be filed on or before January 20, 2022. Motions for summary judgment may be filed at any time authorized under Rule 56 F.R.C.P. but the filing of such motions prior to the completion of discovery relevant to issues raised is discouraged. The requirements of Rule 56, including those under Rule 56(e) and (f) will be strictly applied.

9. Other matters for the Court's Attention: The Court should rule on Defendant FOP/OLC's Motion to Dismiss and determine whether SERB has exclusive jurisdiction over Plaintiff's claims against it. Also pending before the Court are Plaintiff's Motion to Disqualify/Strike and Defendant FOP's Motion to Remand.

APPROVED BY:

s/Charles A. Bakula  
Counsel for Plaintiff Fayza Panno

s/Stephen S. Zashin  
Counsel for Defendants Cleveland Metroparks,  
Don Sylvis and Katherine Dolan

s/Joel Glasser<sup>1</sup>  
Counsel for Defendant Fraternal Order of  
Police/Ohio Labor Council, Inc.

s/John H. West  
Counsel for Defendant David Fenske

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<sup>1</sup> The FOP/OLC's participation in, and approval of, the Joint Position Statement does not constitute either a waiver of its motion to remand or consent to the removal.